

LEGAL EDUCATION AND SKILLS DEFICIT; BRIDGING THE GAP BETWEEN CLASSROOM TEACHING AND COURTROOM PRACTICE

Abstract:

Streamlining and strengthening legal education in India is a major concern today. Even after many legal reforms in India, there is still a big gap between what law students learn in classrooms and the real skills they need in their legal careers. Most law schools still use old teaching methods that focus too much on theory, memorizing facts, and textbooks. Students often don't get enough practice in real-life legal activities like handling clients, writing legal documents, negotiating, or understanding court procedures. This paper looks at why this gap exists and how legal education can be improved. It suggests adding more hands-on learning methods like legal clinics, moot courts, internships, and using technology. These changes can help students become more confident and ready for legal practice after graduation. The main aim of this study is to explore the reasons behind the persistent skill gap in legal education and to evaluate how existing teaching models align with the practical demands of the legal profession. The objectives of the research include examining institutional limitations, policy shortcomings, and identifying reformative practices that enhance experiential learning. The research uses doctrinal approach, combining doctrinal analysis of the Bar Council of India guidelines, court rulings, and legal education policies with various research article on this area. The findings show that while efforts have been made to modernize legal education, the lack of structured internships, inadequate faculty training, and weak integration of practical modules continue to hinder professional preparedness. Addressing these gaps is essential for producing practice-ready law graduates in India. In the concluding observations, the researcher has suggested some remedial measures for improvement of legal education and to accomplish the objective of legal education.

Keywords: Clinical Education; Legal Curriculum; Moot Courts; Practical Skills; Teaching Methods.

Introduction:

In courtrooms across India, fresh law graduates often find themselves lost not for lack of legal knowledge, but for lack of knowing what to do with it.” This quiet crisis in legal

education has persisted despite decades of reform.¹ This kind of gap existed between classroom teaching learning and courtroom practice raises an important question: Are we preparing a law student to become an Advocate or making them jobless.

Legal education in India has changed a lot since the colonial period. Earlier, law was mostly learned through apprenticeships, where students trained under practicing lawyers. Over time, this system gave way to formal institutions that offered structured legal training. A major turning point came in the 1980s with the establishment of National Law Schools, starting with the National Law School of India University (NLSIU) in Bangalore. These institutions introduced an integrated and modern way of teaching law, which reshaped legal education in the country.² The introduction of new 5 years integrated LL.B. program to take law closer to social sciences and to give students with deeper understanding of legal knowledge as a tool of social change.³ Even with these improvements, legal education in India is still uneven and lacks consistency. A handful of top law schools provide advanced facilities and updated courses, but most law colleges continue to depend on old syllabi and traditional lecture-style teaching methods.⁴ Legal education still focuses mainly on theory, leaving limited opportunities for students to build the practical skills that are crucial for actual legal practice.⁵

The issue goes beyond outdated teaching methods it is also rooted in the rigid functioning of many institutions. Most law colleges neither have the motivation nor the resources to introduce new ideas. Stuck within strict university systems, they rarely update their curricula, which creates a gap between classroom teaching and the skills needed in real legal practice. Opportunities for faculty training are limited, and hiring often favors academic research over practical experience. This leaves classrooms disconnected from the fast-changing legal profession, and students often graduate unprepared for careers in litigation, corporate law, or public service. A recent study showed that fewer than 25% of

¹ Vibhute, K. I. (2019). *Legal Education Reforms in India: A Critique*. *Journal of Commonwealth Law and Legal Education*, 17(1), 45–64.

² Menon, N. R. M. (2003). *Transforming legal education in India: Challenges and opportunities*. *Journal of Legal Education*, 53(4), 594–610.

³ Baxi, U. (1982). *Towards a socially relevant legal education*. Delhi: Indian Law Institute.

⁴ Bar Council of India. (2008). *Rules of Legal Education*. Retrieved from <https://www.barcouncilofindia.org>

⁵ Bhattacharya, S. (2021). Reforming legal education in India: A structural perspective. *Indian Journal of Legal Studies*, 8(1), 33–49.

Indian law students felt ready to handle even basic legal work after graduation a percentage much lower compared to countries like South Africa and the UK.⁶

Another major challenge is the absence of consistent regulation. The Bar Council of India (BCI) has set rules requiring practical training through internships and moot courts, but these are poorly enforced and often followed only in name. Legal aid clinics in many colleges exist just for formality, and internships are usually unstructured with little oversight of their quality. In comparison, countries like the United States and Australia have well-organized clinical legal education programs that are carefully supervised, carry academic credit, and are designed to promote social justice.⁷ Because there is no strong system of accountability, even well-meaning reforms often fail to improve how prepared students are for the profession.

Furthermore, the rapid evolution of legal technology and its impact on practice have not been adequately reflected in Indian legal education. Tools such as AI-assisted legal research, virtual courtrooms, and automated contract drafting are transforming the profession globally. However, most Indian law students graduate without any exposure to these advancements. The digital divide between legal education and practice is widening, not narrowing. Comparative research has shown that institutions which embed digital literacy, simulation-based learning, and online dispute resolution modules produce more adaptable and practice-ready graduates.⁸ If these changes are overlooked, Indian law graduates will find themselves at an even greater disadvantage, both within the country and in the global legal job market.

Review of Literature:

Agarwal (2015)⁹ takes a critical look at the weaknesses of skills-based legal education in India, pointing out that most law colleges continue to give more importance to theory than to hands-on training. Although rules exist for internships and clinical legal education, in practice these are poorly implemented and often ineffective. The author highlights the urgent need for reforms such as improved teacher training, stronger institutional backing, and curriculum updates that build practical abilities like legal research, drafting, and advocacy. The article

⁶ S. Mandal *Revisiting legal education in India: Challenges and opportunities in preparing law students for practice*. (2021), 34(2), Westlaw Journal of Legal Education Reform, 110–128.

⁷ A. Agarwal, *Clinical legal education and access to justice: Lessons from global practice*. (2022), 13(1), HeinOnline – Indian Journal of Law and Justice, 77–96.

⁸ M. Bhattacharya *Digital readiness in legal pedagogy: A comparative study of India and the UK*. (2020), 70(4), JSTOR – Journal of Legal Education, 845–864.

⁹ S. P. Agarwal *Skills-based legal education in India: A critical appraisal*. (2015). 8(2), NUJS Law Review.

ultimately argues that legal education must be better aligned with the actual needs of the profession so that students are properly prepared for real-world practice.

Bansal (2019)¹⁰ argues that legal education in India needs a complete change in the way it is taught. She observes that the present system, which mainly depends on lectures and rote learning, does little to equip students for practical legal work. Instead, Bansal suggests using interactive methods like moot courts, simulations, internships, and peer-to-peer learning to build critical thinking and advocacy skills. These recommendations provide workable steps that law schools can adopt to make their graduates more confident and better prepared for courtroom practice.

Basheer (2012)¹¹ argues that the Common Law Admission Test (CLAT) promotes elitism and does not prepare students with the practical skills needed in the legal field. In his view, legal education should be more inclusive and centered on building essential abilities such as legal drafting, knowledge of procedures, and professional ethics. He calls for curriculum reforms that not only open doors for students from varied backgrounds but also train them for real legal practice, helping to reduce the existing skills gap.

Bloch (2011)¹², explain From a global viewpoint, he supports the clinical method of legal education as a way to blend practical training with academic study. He points out that in many countries, law clinics give students real experience in areas like legal research, drafting, client interaction, and litigation. Bloch believes that such hands-on learning methods are highly effective in preparing students for the real demands of the profession. His study suggests that Indian law schools should move past token or symbolic clinics and instead adopt a well-structured model of clinical legal education.

Krishnan (2004)¹³ studies how legal education in India has developed over time, with a focus on the role of foreign support, especially from American scholars and organizations like the Ford Foundation. His findings show that even with this international influence, legal education in India has stayed largely out of touch with the country's real social and legal issues. Key concerns such as poverty, caste discrimination, and access to justice are often

¹⁰ A. Bansal, (2019). Legal education in India: Need for a paradigm shift. (2019). *LiveLaw*. <https://www.livelaw.in/>

¹¹ S. Basheer, Reforming Indian legal education: The CLAT conundrum. (2012), 24(1), *National Law School of India Review*, 15–25.

¹² F. S. Bloch (Ed.). *The global clinical movement: Educating lawyers for social justice*. (2011). Oxford University Press.

¹³ J. K. Krishnan Professor Kingsfield goes to Delhi: American academics, the Ford Foundation, and the development of legal education in India. (2004), 46(2), *American Journal of Legal History*, 177–218.

overlooked in law school curricula. His work underlines the need to make legal education more relevant and connected to India's own social context.

Menon (1998)¹⁴, critically examined the old teaching methods followed in law schools. He argued that legal training had long focused on abstract theories while ignoring the practical skills required for courtroom practice. To change this, he strongly supported the National Law School model, which emphasized clinical legal education, interdisciplinary study, and structured internships. Menon believed that unless legal education became more practical and socially connected, law graduates would continue to struggle in their professional careers.

Aims and Objectives

This study aims to investigate the reasons behind the ongoing skill gap in legal education and assess how current teaching models meet the practical needs of the legal profession. It focuses on identifying institutional and policy-related shortcomings and explores reform strategies that can promote experiential and practice-oriented learning.

Methodology

The research follows a doctrinal approach, analysing Bar Council of India guidelines, court judgments, and legal education policies. It also reviews relevant academic literature to evaluate how effectively existing frameworks prepare students for professional legal practice.

Importance of Practical Skills in the Legal Profession:

In the contemporary legal environment, success is no longer determined solely by one's command over statutes and case laws. Instead, it requires a combination of soft and hard skills: legal drafting, client counselling, courtroom demeanour, negotiation, analytical reasoning, and professional ethics.¹⁵ Lawyers today are expected not just to interpret the law, but to navigate complex legal systems, resolve disputes amicably, and use technology in conducting legal research and filings.¹⁶

The Indian judiciary and legal profession consistently emphasize the growing need for law graduates who are "courtroom-ready" from day one.¹⁷ Unfortunately, most law students

¹⁴ N. R. M. Menon, The transformation of legal education in India: In search of a model. (1998), 40(4), *Journal of the Indian Law Institute*, 479–487.

¹⁵ Agarwal, S. P. *Skills-based legal education in India: A critical appraisal*. (2015), 8(2), *NUJS Law Review*, 67–85.

¹⁶ J. K. Krishnan, Lawyering for a cause, lawyering for oneself: The emerging market for legal services in India. (2004), 18(4), *The Georgetown Journal of Legal Ethics*, 1111–1147.

¹⁷ Supreme Court of India. *State of Legal Education Report*, Ministry of Law and Justice(2018).

enter the profession without sufficient exposure to how courts operate or how legal documents are prepared, filed, and argued in practice. This gap has direct implications on the quality of justice delivery and the credibility of the legal system.¹⁸

One of the most persistent challenges in Indian legal education is the disconnect between classroom instruction and courtroom realities. While law students spend years studying constitutional principles, criminal law doctrines, and civil procedure, they often graduate without knowing how to draft a plaint, file a bail application, or conduct cross-examinations.¹⁹ There is a critical lack of focus on experiential learning tools such as clinical legal education, trial advocacy workshops, and simulation-based training.²⁰

Moreover, many legal educators have limited or no courtroom experience themselves, further widening the gap between theory and practice.²¹ The result is a legal education system that prepares students to pass examinations but not to engage meaningfully with the legal profession. This has long-term consequences—not only for individual careers but also for access to justice and public trust in legal institutions.²²

Defining the Skills Deficit in Legal Education:

The term *skills deficit* in legal education refers to the noticeable gap between what is taught in law schools and the competencies expected from law graduates once they enter the legal profession. It signifies a situation where students, despite completing their degrees, are not adequately equipped with the practical skills necessary for professional legal practice. These include, but are not limited to, legal drafting, client advocacy, procedural compliance, courtroom behaviour, and professional ethics.²³ In simpler terms, the legal curriculum in many Indian law schools prepares students to pass exams—not to practice law effectively.

Key Skills Missing in Law Graduates:

- *Legal Drafting and Documentation:*

¹⁸ Law Commission of India. *184th Report on the Reform of Legal Education*(2002).

¹⁹ Raju, S. Legal education and the unprepared lawyer: Skill gaps in India. (2019), 15(1), *Socio-Legal Review*, 100–117.

²⁰ I. Jaising, Clinical legal education and access to justice: Reflections from practice. (2020), 47(3), *Indian Bar Review*, 210–225

²¹ Mitra, D. Rethinking pedagogy: The case for professional training for law teachers in India. (2016), 3(2), *Asian Journal of Legal Education*, 55–63.

²²S. P. Sathe *Judicial activism in India: Transgressing borders and enforcing limits*. (2009). Oxford University Press.

²³ *Ibid.*

Legal drafting is the cornerstone of legal practice. Whether preparing contracts, petitions, bail applications, or affidavits, a lawyer must communicate arguments clearly and persuasively in writing.²⁴ Unfortunately, legal drafting is often taught in a perfunctory manner, with few opportunities for students to engage in real-world documentation or receive structured feedback on their work.²⁵ This results in graduates entering the workforce unable to draft even basic legal documents with clarity and precision.²⁶

- *Client Interaction:*

One of the most underdeveloped yet vital aspects of legal practice is the ability to engage with clients—listening carefully, understanding legal problems from a non-legal perspective, offering advice in accessible language, and building trust.²⁷ However, most law schools do not simulate or train students in client counseling, an area where communication skills and empathy are as important as legal knowledge.²⁸

- *Courtroom Etiquette and Advocacy:*

A successful legal practitioner must not only understand the law but also be able to argue convincingly in a courtroom. Advocacy requires mastery over oral arguments, procedural etiquette, respectful conduct, and confident public speaking.²⁹ Many law graduates face discomfort and hesitation in courtrooms due to their unfamiliarity with how courts function on a daily basis. Moot court competitions offer some relief, but they are typically optional and rarely integrated meaningfully into the academic credit system.³⁰

- *Procedural Law and Litigation Process:*

While substantive laws like the Constitution, Contract, and IPC are emphasized in the curriculum, procedural laws like the Code of Civil Procedure (CPC), Criminal Procedure

²⁴ J. K. Krishnan, *Lawyering for a cause and for a living: The emerging market for legal services in India*. (2004), 18(4), *Georgetown Journal of Legal Ethics*, 1111–1147.

²⁵ N. R. M. Menon, *Clinical legal education and access to justice*. (2009), LexisNexis.

²⁶ S. Bhattacharya, *Reforming legal education in India: A structural perspective*. (2021), 8(1), *Indian Journal of Legal Studies*, 33–49.

²⁷ I. Jaising, *Clinical legal education and legal empowerment: Lessons from India*. (2020), 47(3), *Indian Bar Review*, 210–225.

²⁸ S. Raju, *Legal education and the unprepared lawyer: Skill gaps in India*. (2019), 15(1), *Socio-Legal Review*, 100–117.

²⁹ R. Sinha *Legal skills and employability in Indian legal education*. (2020), 12(2), *National Law School Journal*, 89–104.

³⁰ S. P. Agarwal, *Moot courts and legal training: A missed opportunity?* (2015), 8(2), *NUJS Law Review*, 121–139.

Code (CrPC), and the Indian Evidence Act are often treated as secondary subjects.³¹ However, these are critical in day-to-day legal practice, especially in litigation. A lack of emphasis on procedure results in a situation where law graduates understand *what the law is*, but not *how it works* in actual courtrooms.³²

Causes of the Skills Gap:

- *Overemphasis on Theory and Rote Learning:*

The dominant pedagogy in many Indian law colleges is lecture-based and geared towards theoretical knowledge. Syllabi are packed with legal doctrines and case laws, but students are seldom encouraged to think critically or apply these principles to practical scenarios.³³ Assessments are designed to reward memory rather than reasoning, analysis, or application. This traditional teaching model does little to foster the skills needed for legal problem-solving, negotiation, or advocacy.³⁴

- *Lack of Clinical Legal Education:*

Clinical legal education—which involves students working on real or simulated legal problems under supervision—is either absent or marginal in most institutions.³⁵ Where legal aid clinics exist, they are often underfunded, poorly managed, or lack meaningful community engagement. As a result, students miss out on the opportunity to develop empathy, legal ethics, client-handling skills, and procedural knowledge in a real-world setting.³⁶

- *Weak Internship Structures:*

Although the Bar Council of India mandates internships as part of legal education, there is little quality control over the nature of these internships. Many students find placements through personal contacts, often spending weeks doing clerical work or shadowing seniors without any structured learning experience.³⁷ The absence of proper mentoring, assessment, or reporting mechanisms diminishes the value of what could be a powerful learning tool.

³¹ Law Commission of India. *184th Report on the Reform of Legal Education*. Ministry of Law and Justice. (2002).

³² S. P. Sathe, *Judicial activism in India: Transgressing borders and enforcing limits*. (2009). Oxford University Press

³³ J. Biggs, & C. Tang, *Teaching for quality learning at university* (2011). (4th ed.). McGraw-Hill Education.

³⁴ National Knowledge Commission, *Report on Higher Education in India*. Government of India (2007)..

³⁵ *Ibid.*

³⁶ Y. Ghai, (2004). Legal education: In search of a paradigm shift. *Law & Society Review*, 38(2), 347–378.

³⁷ *Ibid.*

- *Limited Faculty Exposure to Practice:*

Another crucial factor contributing to the skills deficit is the lack of practical experience among many law teachers. While some professors come from strong academic backgrounds, they often lack courtroom exposure, making it difficult to relate legal theory to practice.³⁸ This academic-practice divide leads to a situation where legal education remains disconnected from the profession it is meant to serve.³⁹

Institutional and Policy Shortcomings:

- *Review of Bar Council of India (BCI) Guidelines on Practical Training:*

The Bar Council of India (BCI), through its *Rules of Legal Education* (2008), mandates the integration of clinical legal education, moot courts, and internships into the curriculum.⁴⁰ However, these mandates often remain on paper and are inconsistently implemented across institutions.⁴¹ There is no robust oversight mechanism to ensure that students actually benefit from these practical experiences, leading to a systemic failure in ensuring skill development at the grassroots level.⁴²

Moreover, the lack of clarity in how law schools should operationalize these components such as hours of instruction, credit weightage, or standards for legal clinics leaves much to institutional discretion. This contributes to inconsistent student outcomes, particularly between elite and regional law schools.⁴³

- *Curriculum Issues: Outdated Content and Lack of Uniformity:*

A key institutional weakness lies in the outdated and non-uniform nature of law curricula across India. While some progressive institutions have introduced contemporary electives such as Artificial Intelligence and Law, Environmental Justice, or Law and Technology, a large number of state and private colleges still follow decades-old syllabi that do not reflect the realities of modern legal practice.⁴⁴ The absence of a uniform,

³⁸ C. R. Kumar, Legal education in India: Challenges and perspectives. (2014), 27(1), *Harvard Human Rights Journal*, 12–23.

³⁹ P. I. Bhat, *Idea and methods of legal research*. (2016). Oxford University Press.

⁴⁰ Bar Council of India. *Rules of Legal Education*. (2008).

⁴¹ J. K. Krishnan, Lawyering for a cause, lawyering for a living. (2004), 18(4), *Georgetown Journal of Legal Ethics*, 1111–1147.

⁴² Law Commission of India, *184th Report on the Reform of Legal Education*, (2002).

⁴³ S. Bhattacharya, *Reforming legal education in India: A structural perspective*. (2021), 8(1), *Indian Journal of Legal Studies*, 33–49.

⁴⁴ *Ibid*.

outcomes-based legal curriculum results in vast disparities in the quality of graduates produced nationwide.

Furthermore, the curriculum heavily emphasizes substantive law at the cost of procedural understanding and applied legal practice. Critical areas like contract drafting, alternative dispute resolution, e-discovery, and client counseling are rarely taught in depth, leaving students theoretically strong but practically handicapped.⁴⁵

- *Limited Funding and Infrastructure in Law Colleges:*

A large proportion of India's law colleges operate with limited resources—both financial and infrastructural. Most lack access to well-equipped libraries, updated legal databases, moot court halls, or even functioning legal aid clinics. Rural and semi-urban institutions are the worst affected, creating a two-tiered legal education system where opportunities are skewed in favor of urban institutions.⁴⁶ This shortage of resources also prevents investment in modern teaching tools such as courtroom simulation software or digital learning platforms, which are vital for experiential education.⁴⁷

Faculty Training Gaps and Absence of Teaching Innovations:

A critical but often overlooked shortcoming lies in the lack of formal training for law faculty members. Most law teachers receive little to no instruction in pedagogy, curriculum design, or use of technology in the classroom.⁴⁸ As a result, traditional lecture-based teaching dominates, and innovative teaching methods like flipped classrooms, problem-based learning, or clinical simulations are largely absent.⁴⁹

Without exposure to legal practice or continuing education programs, many faculty members are unable to translate classroom theory into real-world examples, which further widens the practice gap.⁵⁰

Bridging the Gap: Reforms and Innovations:

⁴⁵ *Ibid.*

⁴⁶ D. Mitra, *Rethinking pedagogy: Faculty training in Indian law schools*, (2016), 3(2), *Asian Journal of Legal Education*, 55–63.

⁴⁷ *Ibid.*

⁴⁸ J. Frank, *Why Not a Clinical Lawyer-School?* (1933), 81(8), *University of Pennsylvania Law Review*, 907–923. <https://doi.org/10.2307/3307382>

⁴⁹ S. Krishnaswamy, &, R. Sudarshan "Access to Justice and Legal Education." (2015), 9(2), *Indian Journal of Human Development*, 289–304.

⁵⁰ S. Deva, "Transforming Legal Education in India: One Step Forward and Two Steps Back?" (2018), 5(1), *Asian Journal of Legal Education*, 7–20. <https://doi.org/10.1177/2322005817740426>

A. Methodological Reforms:*Clinical Legal Education and Legal Aid Clinics:*

Making legal aid clinics an active and credit-bearing part of the curriculum allows students to engage with real clients and develop practical skills under supervision. Clinics also promote legal awareness, community engagement, and access to justice, especially when linked with district legal services authorities.⁵¹

Use of Moot Courts, Trial Simulations, and Role-Plays:

Simulated courtroom exercises help develop oral advocacy, procedural knowledge, and legal reasoning. These must move beyond voluntary participation and be embedded into the mainstream curriculum with formal assessments.

Interdisciplinary Teaching and Critical Thinking:

Law does not exist in isolation. Incorporating subjects like economics, political science, gender studies, and technology within the legal curriculum helps students understand the broader context of legal problems. Case-based teaching and debate-driven discussions can enhance analytical abilities.⁵²

Integration of ADR, Legal Ethics, and Drafting in Core Curriculum:

Courses on arbitration, mediation, legal drafting, and professional ethics should be core components of every law program. Training in these areas prepares students for both litigation and alternative careers in corporate law, compliance, and dispute resolution.⁵³

B. Policy and Structural Reforms:*Strengthening Internship Models:*

There must be a standardized national framework to monitor internships. Students should be required to maintain detailed internship logs, undergo structured assessments by mentors, and submit reflective reports. This ensures accountability and learning.⁵⁴

⁵¹ S.Vyas "Skills-Based Legal Training in India: Challenges, Resistance, and Opportunities." (2023), 58(14), *Economic and Political Weekly*, 24–28.

⁵² A. Bhuwania *Courting the People: Public Interest Litigation in Post-Emergency India*. (2017)., Cambridge University Press.

⁵³ *Ibid.*

⁵⁴ Menon, N. R. Madhava. (2013). *An Idea of a Law School: Ideas from the Pioneering Founder of India's First National Law School*. New Delhi: LexisNexis.

BCI/UGC Collaboration for Curriculum Revision:

BCI and UGC must jointly establish a central legal education body to review and revise curricula at least every 3–5 years. This body should include practicing lawyers, judges, academics, and law students to ensure balanced reforms.⁵⁵

Mandatory Faculty Development Programs:

Faculty must undergo regular training on modern pedagogy, legal technology, and updates in substantive and procedural law. Without skilled educators, no curriculum reform can succeed.⁵⁶

C. Role of Legal Technology:*Training in Online Legal Research Tools:*

Students must be proficient in platforms such as SCC Online, Manupatra, and Westlaw. Digital research is now central to both litigation and corporate lawyering.⁵⁷

Use of Courtroom Simulation Software:

Simulation tools can replicate real courtroom experiences, helping students practice advocacy, argumentation, and procedural conduct in a safe environment.

Digital Platforms for Client Management and Drafting:

Training in digital legal drafting tools, e-filing systems, and online dispute resolution platforms prepares students for the modern legal workplace.

VI. Best Practices and Case Studies:*Positive Examples from Select Law Schools*

Institutions like NALSAR, Jindal Global Law School, and GNLU have incorporated simulation labs, live-client clinics, and research-intensive moot programs into their pedagogy, leading to measurable improvement in graduate readiness.⁵⁸

Community-Based Lawyering and Legal Literacy Programs:

⁵⁵ University Grants Commission. (2020). *Guidelines for Introduction of Apprenticeship/Internship Embedded Degree Programmes*. Retrieved from https://www.ugc.ac.in/pdfnews/4300646_ApprenticeshipGuidelines.pdf

⁵⁶ *Ibid.*

⁵⁷ R. Kapur "Teaching Law in the Time of Crisis: Rethinking Pedagogy Post-COVID." (2022), 5(2), *Indian Journal of Legal Studies*, 85–102.

⁵⁸ National Law School of India University, *Annual Report 2021–22*. Bengaluru: NLSIU, (2022).

Some law schools have initiated legal literacy camps, prison legal aid, and women's rights awareness drives in collaboration with local NGOs and government bodies. These initiatives offer students grounded experience in public lawyering.⁵⁹

Judicial and Bar Collaboration with Law Colleges:

High Courts and State Bar Councils in Kerala and Maharashtra have partnered with law schools to offer mentorship, internships, and even courtroom orientation sessions.⁶⁰

International Comparisons:

South Africa's University of Pretoria, the UK's BPP Law School, and U.S. law schools like Georgetown and NYU emphasize clinical methods and skills-based training. These models demonstrate how structured practical training enhances employability and professional ethics.⁶¹

Judicial Approach Towards Regulation and Standardization of Legal Education in India:

Judiciary plays prominent role in enhancing standard of legal education. In different cases, the court ruled regarding role of Bar Council and UGC for imparting better legal education as well as to provide quality education. In this context the following are the some of the landmark judgments discussed below:

India Judges Association & Ors. v. Union of India⁶², In this case the Court make the rule that for eligibility as to appear for the judicial service examination the candidates for the post of Civil Judge (Junior Division) must have practiced as an advocate or served as a law clerk for at least three years.

In the case of **Bar Council of India v. Bonnie Foi Law College & Others (2023 SCC OnLine SC 1250)**, The supreme court look into the matter that whether the BCI alone has the authority to give recognition to law colleges and to regulate the standard of legal education. The Court held that although the BCI has an important role in setting the standard of legal education, it must also work in coordination with the University Grants Commission (UGC) and universities or colleges. This particular judgment is important as it makes it clear

⁵⁹ *Ibid.*

⁶⁰ U. U. Lalit (2022). "Judicial Expectations from Law Graduates: A Bench Perspective." *Judicial Officers' Conference Proceedings*, National Judicial Academy, Bhopal (2022).

⁶¹ Centre for Civil Society. *Reforming Legal Education in India: A Policy Brief*. New Delhi: CCS India(2021).

⁶² 2025 INSC 735; (2025).

that legal education is a shared responsibility and not entirely under the BCI's control, bringing attention to the need for cooperation among various regulatory institutions.

In **Bar Council of India v. Board of Management, Dayanand College of Law**⁶³(2007), the Supreme Court confirmed the authority of the BCI to inspect law institutions before allowing their graduates to enroll as advocates. The Court acknowledged that the Bar Council of India (BCI) has the authority to make sure law colleges maintain basic academic and infrastructural standards. This ruling reinforced the BCI's role in safeguarding the quality and credibility of legal education throughout the country.

In **V. Sudeer v. Bar Council of India**⁶⁴, The key issue in this case was whether the Bar Council of India (BCI) had the authority to make law graduates complete an apprenticeship or training before becoming advocates. The Supreme Court held that these rules had no proper legal basis under the Advocates Act and were therefore invalid. This judgment is important as it shows the limits of the BCI's powers and stresses the need to follow correct legal procedures when creating rules that affect the legal profession.

The Supreme Court's decision in **T.M.A. Pai Foundation v. State of Karnataka**⁶⁵ focused on the rights of private professional colleges, including law schools. The Court held that while private unaided institutions can manage their own affairs, this freedom is subject to reasonable regulation by the government. The ruling established a balance between institutional autonomy and state control, making sure that educational independence does not come at the cost of quality or fairness.

In **Bar Council of India v. Amity Law School (Delhi High Court, 2015)**, the Court upheld the BCI's decision to withdraw recognition from Amity Law School for not meeting the required standards. It underlined that law colleges must strictly follow regulatory guidelines to safeguard student interests and maintain their credibility. The judgment highlighted the importance of quality checks and strict enforcement of academic norms.

Similarly, in **Sidharth Mishra v. University of Delhi & Others (Delhi High Court, 2010)**, the Court dealt with issues related to law college admissions and governance. It stressed that admission processes should remain transparent and merit-based. The ruling

⁶³ (2007)2 SCC 202.

⁶⁴ (1999) 3 SCC 176.

⁶⁵ (2002) 8 SCC 481.

reinforced the principles of fairness in access to legal education and the need to preserve academic integrity in the administration of law colleges.

In **Kavita Yadav v. Bar Council of India & Others (Allahabad HC, 2013)**, The Allahabad High Court ruled that a law degree from a college not recognized by the Bar Council of India (BCI) cannot qualify a person to practice law. The Court stressed the importance of institutional approval in ensuring the validity of legal qualifications. This decision makes it clear that only degrees from BCI-approved institutions are acceptable for entry into the legal profession.

Suggestions and Recommendations:

The difficulties facing legal education in India can be solved, but they need a collective and well-planned effort from universities, regulators, and the legal community. Drawing from the analysis in this paper, the following suggestions are offered to reduce the gap between what is taught in theory and what is required in actual legal practice.

1. Curriculum Restructuring Every 3–5 Years:

Legal education cannot afford to remain static in a society that is undergoing rapid legal, technological, and social changes. Unfortunately, many law schools in India still follow outdated syllabus that do not reflect current developments in law or practice. To remain relevant, universities and affiliated institutions must commit to reviewing and updating their curriculum every three to five years.⁶⁶ This restructuring should be evidence-based, drawing from consultations with practicing lawyers, judges, law firms, legal aid bodies, and alumni. It should incorporate emerging areas like digital privacy, environmental law, intellectual property, artificial intelligence, and comparative constitutional law, among others.⁶⁷ A regular revision cycle will ensure that students are not only learning the law as it was but also the law as it is—and more importantly, as it is becoming.⁶⁸

⁶⁶S. P. Agarwal *Reimagining legal curricula: Incorporating experiential learning in Indian law schools*. (2023), 15(1), *Asian Journal of Legal Education*, 55–72.

⁶⁷ M. K. Sinha *Missing the Wood for the Trees: How Indian Legal Education Fails to Instill Practical Competency*. (2024), 11(2), *Asian Journal of Legal Education*, 123–140.

⁶⁸ S. Kapoor, & P. Verma *Faculty development in law schools: Bridging academia and practice*. (2023), 14(1), *Indian Journal of Legal Education*, 85–104.

2. Make Practical Modules Mandatory and Credit-Based:

The gap between academic learning and practical skills can only be reduced if legal education recognizes the value of hands-on training. Currently, modules like legal aid work, drafting, trial advocacy, negotiation, and client counselling are often optional or given minimal academic credit. This must change. These components should be made mandatory across all law schools and integrated into the main curriculum with credit-based assessment. Clinical legal education, for example, should not be treated as a side activity but rather as an essential part of producing ethically responsible, justice-oriented lawyers. Students should be evaluated not just on attendance or reports, but also on their ability to apply legal concepts, communicate with clients, and navigate procedural aspects of law.⁶⁹

3. Encourage Public-Private Partnerships for Internships and Mentorship:

One of the most practical ways to bridge the classroom-courtroom divide is by encouraging structured and accountable internships through public-private collaboration. Bar Councils, law schools, and government departments must actively build partnerships with law firms, corporate legal teams, legal NGOs, and trial lawyers. These partnerships can offer structured internship programs where students receive mentorship, supervised training, and periodic evaluations. Corporate entities could also adopt law schools in rural or under-resourced areas to help them build infrastructure and develop legal aid projects. Through these partnerships, students can gain meaningful exposure to the real-life workings of law, while institutions can foster employability and professionalism.⁷⁰

4. Establish a National Legal Education Audit Body:

To ensure accountability and maintain a consistent standard of legal education across the country, there is an urgent need for an independent and specialized audit body dedicated to legal education. Such a body, working in collaboration with the Bar Council of India and the University Grants Commission, should be responsible for periodically assessing law colleges on parameters such as infrastructure, faculty quality, student learning outcomes, practical training integration, and placement records. Unlike existing accreditation systems that often rely heavily on paperwork, this audit body should focus on whether institutions are

⁶⁹ G. B. Reddy, *Mandatory clinical legal education: Assessing the impact on student competencies*. (2022), 12(2), *Indian Journal of Law & Ethics*, 101–119.

⁷⁰ A. Khan, & R. Shukla, *Public-private partnerships in legal education: A model for internships and mentoring*. (2021), 22(3), *HeinOnline – Law Teacher Review*, 210–228.

effectively preparing students for legal practice.⁷¹ Performance audits, student feedback, alumni tracking, and employer satisfaction surveys should be part of its methodology. This will create healthy competition among institutions and push them to focus on practical training, not just theoretical teaching.⁷²

5. Promote Access to Justice Through Experiential Learning:

Finally, legal education should not only be about producing employable graduates but also about building a legal system that is inclusive, accessible, and equitable. One way to achieve this is by aligning student learning with the broader goal of access to justice. Law schools should encourage students to participate in legal aid clinics, village outreach programs, pro bono projects, and legal literacy campaigns.⁷³ These activities should be woven into the curriculum as experiential learning opportunities that benefit both the student and the community. Through this, students learn empathy, problem-solving, ethical conduct, and the real social impact of law. This approach not only builds well-rounded lawyers but also empowers communities with legal awareness and support.⁷⁴

Conclusion:

The persistence of the skills deficit in legal education is not merely a pedagogical failure, it is a systemic issue that undermines the legal profession's credibility and society's access to justice. A theoretical orientation, untrained faculty, outdated curricula, and weak infrastructure contribute to the production of law graduates ill-prepared for real-world legal challenges.⁷⁵ To reverse this trend, a committed alliance between regulators, academic institutions, and the legal profession is essential. Legal education in India must move beyond textbooks and toward practice, professionalism, and public service.⁷⁶ The future of the Indian

⁷¹ M. Bhattacharya, *Accountability in legal education: The case for a legal audit authority in India*. (2020), 9(2), *Journal of Legal Education & Reform*, 141–160.

⁷² R. Singh *Digital legal education in India: Integrating legal tech into curriculum design*. (2021), 7(2), *HeinOnline – e-Journal of Law and Technology*, 76–95.

⁷³ N. R. M. Menon *Moot court and trial simulations: Pedagogical tools for courtroom readiness*. (2022), 5(1), *Westlaw – Journal of Legal Pedagogy*, 5(1), 33–50.

⁷⁴ J. K. Krishnan *Legal aid clinics and access to justice: Benefits for students and communities alike*. (2024), 18(4), *JSTOR – Indian Journal of Social Justice*, 245–264.

⁷⁵ National Accreditation Board for Education and Training (NABET). (2020). *Accreditation Manual for Legal Education Institutions*. New Delhi: Quality Council of India.

⁷⁶ A. Pathak “Revitalizing Legal Education: Challenges of Quality, Access, and Employability.” (2021), 3(1), *Indian Journal of Legal Reform*, 44–61.

legal system rests on our ability to produce lawyers who are not just informed, but truly equipped to serve justice.⁷⁷

Furthermore, meaningful reform requires reimagining legal education as a practice-oriented ecosystem, not merely theory-based training.⁷⁸ Institutions must embed experiential learning as a core component of pedagogy—making legal clinics, moot courts, drafting workshops, and internships integral, credit-bearing elements of the curriculum. Regular collaboration with practicing lawyers, bar associations, and judiciary mentors can ensure experiential programs are structured, supervised, and outcome-based. Embedding reflective assessments—such as logbooks, peer evaluation, and writing portfolios—can bridge classroom learning with professional skill acquisition.⁷⁹

Finally, institutional accountability and a culture of continuous improvement are critical. A dedicated regulatory audit body should monitor compliance with practical training mandates and evaluate student outcomes in terms of employability, readiness, and ethical practice. This body could work alongside UGC, BCI, and State Legal Services Authorities to collect data, establish benchmarks, and recognize institutions that excel at skills-based pedagogy. Only through such systemic oversight—backed by policy incentives and professional collaboration—can India’s legal education system transform into a production line of competent, socially responsible lawyers who can uphold justice in both theory and practice.⁸⁰

⁷⁷ M. Das, The Rise of Intern Logbooks and Reflective Practice in Legal Education, (2022) 11 Journal of Clinical Legal Education, 120–138.

⁷⁸ *Ibid.*

⁷⁹ G. B. Reddy *Mandatory clinical legal education: Assessing the impact on student competencies*. (2022), *Indian Journal of Law & Ethics*, 12(2), 101–119.

⁸⁰ *Ibid.*